

SENATE BILL 718

J1

0lr3165
CF 0lr1148

By: **Senators Robey and Raskin**

Introduced and read first time: February 10, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Tanning Devices – Use by Minors – Prohibition**

3 FOR the purpose of prohibiting certain owners, employees, and operators of tanning
4 facilities from allowing minors to use certain tanning devices; prohibiting
5 certain owners, employees, and operators of tanning facilities from distributing
6 to minors certain passes, coupons, or packages redeemable for use of a tanning
7 device; and generally relating to tanning devices.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 20–106
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Health – General**

16 20–106.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) **“DISTRIBUTE” MEANS TO:**

19 (i) **GIVE, SELL, DELIVER, DISPENSE, ISSUE, OR OFFER TO**
20 **GIVE, SELL, DELIVER, DISPENSE, OR ISSUE; OR**

21 (ii) **CAUSE OR HIRE A PERSON TO GIVE, SELL, DELIVER,**
22 **DISPENSE, ISSUE, OR OFFER TO GIVE, SELL, DELIVER, DISPENSE, OR ISSUE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(2)](3)~~ “Tanning device” means any equipment that emits radiation
2 used for tanning of the skin, including sunlamps, tanning booths, or tanning beds.

3 ~~[(3)](4)~~ “Tanning facility” means any place where a tanning device is
4 used for a fee, membership dues, or other compensation.

5 (b) An owner, employee, or operator of a tanning facility may not:

6 (1) ~~[allow]~~ **ALLOW** a minor ~~[under the age of 18 years]~~ to use a
7 tanning device ~~[unless the minor’s parent or legal guardian provides written consent~~
8 ~~on the premises of the tanning facility and in the presence of an owner, employee, or~~
9 ~~operator of the tanning facility];~~ **OR**

10 (2) **DISTRIBUTE TO A MINOR A PASS, COUPON, OR PACKAGE**
11 **REDEEMABLE FOR USE OF A TANNING DEVICE.**

12 (c) The owner, employee, or operator of a tanning facility shall require
13 appropriate documentation to verify the age of an individual before allowing the
14 individual access to a tanning device.

15 (d) (1) The Secretary may impose on a person who violates this section:

16 (i) For a first violation, a civil penalty not to exceed \$250;

17 (ii) For a second violation, a civil penalty not to exceed \$500;

18 and

19 (iii) For each subsequent violation, a civil penalty not to exceed
20 \$1,000.

21 (2) The Secretary may adopt regulations to implement and carry out
22 this section.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2010.